
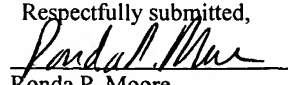


<b>UTILITY PATENT APPLICATION TRANSMITTAL</b> (Only for new nonprovisional applications under 37 CFR 1.53(b))	Attorney Docket No.	CPC-006CN2
	First Named Inventor	Biondi
	Title	A System for Automatically Weaning a Patient from a Ventilator, and Method Thereof

<b>APPLICATION ELEMENTS</b>		<b>ADDRESS TO: Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450</b>		17497 U.S. PTO 10/716896 
1. <input checked="" type="checkbox"/> Fee Transmittal Form 2. <input type="checkbox"/> Small Entity Status <input type="checkbox"/> Applicant claims small entity status <input type="checkbox"/> Status established in prior application and is still proper and desired		<b>ACCOMPANYING APPLICATION PARTS</b>		
3. <input checked="" type="checkbox"/> Specification and Drawings [Total Pages 65] - Written Description - (44 pages) - Claims - (4 pages) - Abstract - (1 page) - Sheets of Drawings - (16 sheets) <input checked="" type="checkbox"/> Formal <input checked="" type="checkbox"/> Informal		8. <input type="checkbox"/> 37 CFR 3.73(b) Statement (when there is an assignee) <input type="checkbox"/> Power of Attorney 9. <input type="checkbox"/> English Translation Document (if applicable)		
4. <input type="checkbox"/> Oath or Declaration [Total Pages ] a. <input type="checkbox"/> Newly executed (original) b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional with Box 17 completed) [Note Box 5 below]		10. <input checked="" type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations 11. <input type="checkbox"/> Preliminary Amendment <input type="checkbox"/> Drawings [Total Sheets ]		
5. <input type="checkbox"/> Incorporation by Reference (usable if Box 4b is checked) The entire Disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.		12. <input checked="" type="checkbox"/> Return Receipt Postcard (specifically itemized) 13. <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority claimed)		
6. <input checked="" type="checkbox"/> Application Data Sheet		14. <input type="checkbox"/> Nonpublication Request Under 35 U.S.C. 122(b)		
7. <input type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission <input type="checkbox"/> Computer Readable Form (CRF) <input type="checkbox"/> Paper Copy (identical to computer copy) <input type="checkbox"/> CD (2 copies) (identical to computer copy) <input type="checkbox"/> Statement verifying identity of above copies		15. <input type="checkbox"/> CD in duplicate for large table or computer program 16. <input checked="" type="checkbox"/> Other: Transmittal of Formal Drawings		
17. <input checked="" type="checkbox"/> If a <b>CONTINUING APPLICATION</b> : Amend the specification by inserting on page 1, before the first line, the sentence: --This is a <input checked="" type="checkbox"/> continuation <input type="checkbox"/> divisional <input type="checkbox"/> continuation-in-part of prior application Serial No. 10/260,796, filed on September 30, 2002, which is a continuation of U.S.S.N. 09/767,173, filed on January 22, 2001, now issued as U.S. Patent No. 6,463,930, which is a continuation-in-part of U.S.S.N. 09/660,820, filed on September 13, 2000, now issued as U.S. Patent No. 6,584,973, which is a continuation of U.S.S.N. 09/045,461, filed on March 20, 1998, now issued as U.S. Patent No. 6,158,432, which is a continuation-in-part of U.S.S.N. 08/569,919, filed on December 8, 1995, now issued as U.S. Patent No. 5,931,160, the entire disclosures of which are incorporated by reference herein.-- <b>Priority to the above application(s) is claimed under 35 U.S.C. 120.</b> Prior application information: Examiner: <u>Mitchell, Teena Kay</u> . Group/Art Unit: <u>3761</u> .				
18. <input type="checkbox"/> <b>Priority - 35 U.S.C. 119</b> <input type="checkbox"/> Priority of application Serial No. _____ filed on _____ in _____ is claimed under 35 U.S.C. 119. <input type="checkbox"/> The certified copy has been filed in prior U.S. application Serial No. ____/____ on _____. <input type="checkbox"/> The certified copy will follow.				
<b>CORRESPONDENCE ADDRESS</b>		<b>SIGNATURE BLOCK</b>		
Direct all correspondence to: Patent Administrator Testa, Hurwitz & Thibault, LLP High Street Tower 125 High Street Boston, MA 02110 Tel. No.: (617) 248-7000 Fax No.: (617) 248-7100 Customer No. 021323		Respectfully submitted,  Date: November 17, 2003 Reg. No. 44,244 Tel. No.: (617) 248-7044 Fax No.: (617) 248-7100 Ronda P. Moore Attorney for the Applicants Testa, Hurwitz & Thibault, LLP High Street Tower 125 High Street Boston, MA 02110		

**FEE TRANSMITTAL**  
**FY 2004**

Complete if Known

Application Serial Number	Not yet assigned
Filing Date	Herewith
First Named Inventor	Biondi
Group Art Unit	Not yet assigned
Examiner Name	Not yet assigned
Attorney Docket No.	CPC-006CN2

**METHOD OF PAYMENT**

1. ☒ Payment Enclosed:  
☒ Check ☐ Money Order ☐ Other
2. ☒ The Commissioner is hereby authorized to credit or charge any fee indicated below for this submission to Deposit Account No. 20-0531.  
☐ Required Fees (copy of this sheet enclosed).  
☒ Additional fee required under 37 CFR 1.16 and 1.17.  
☒ Overpayment Credit.
3. ☐ Applicant claims small entity status.

**FEE CALCULATION****1. FILING FEE****Large Entity**

Fee (\$)	Fee Description	Fee Paid
770	Utility filing fee	770.00
340	Design filing fee	
160	Provisional filing fee	

	Number Filed	Number Extra	Rate	Amount
Total Claims	14	- 20 = 0	x \$ 18.00 =	0.00

	Number Filed	Number Extra	Rate	Amount
Independent Claims	3	- 3 = 0	x \$ 86.00 =	0.00

☐ Multiple Dependent Claim(s), if any \$290.00 =

TOTAL: 770.00

SMALL ENTITY DISCOUNT: 0.00

SUBTOTAL (1) (\$) 770.00

**2. AMENDMENT CLAIM FEES**

Claims Remaining After Amend.	Highest No. Previously Paid For	Present Extra	Rate	Fee Paid
Total	-	=	x \$ 18.00 =	
Indep.	-	=	x \$ 86.00 =	
<input type="checkbox"/> First Presentation of Multiple Dep. Claim			+ \$290.00 =	

TOTAL: (\$)

SMALL ENTITY DISCOUNT: (\$)

SUBTOTAL (2) (\$) 0.00

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
130	65	Surcharge - late filing fee or oath	
50	25	Surcharge - late provisional filing fee or cover sheet	
130	130	Non-English specification	
2,520	2,520	Request for ex parte reexamination	
110	55	Extension for reply within first month	
420	210	Extension for reply within second month	
950	475	Extension for reply within third month	
1480	740	Extension for reply within fourth month	
2010	1005	Extension for reply within fifth month	
330	165	Notice of Appeal	
330	165	Filing a brief in support of an appeal	
290	145	Request for oral hearing	
130	130	Petitions to the Commissioner	
180	180	Submission of Information Disclosure Statement	
770	385	Filing a submission after final rejection (37 CFR 1.129(a))	
770	385	For each additional invention to be examined (37 CFR 1.129(b))	
100	100	Certificate of Correction for applicant's error	
110	55	Submission of Terminal Disclaimer	
Other fee (Specify)			
Other fee (Specify)			

SUBTOTAL (3) (\$) 0.00

SUBTOTAL (1) 770.00

SUBTOTAL (2) 0.00

SUBTOTAL (3) 0.00

TOTAL (\$) 770.00

**CORRESPONDENCE ADDRESS**

Direct all correspondence to:  
 Patent Administrator  
 Testa, Hurwitz & Thibault, LLP  
 High Street Tower-125 High Street  
 Boston, MA 02110  
 Tel. No.: (617) 248-7000  
 Fax No.: (617) 248-7100

**SIGNATURE BLOCK**

Respectfully submitted,  
 Date: November 17, 2003  
 Reg. No.: 44,244  
 Tel. No.: (617) 248-7044  
 Fax No.: (617) 248-7100

*Ronda P. Moore*  
 Ronda P. Moore  
 Attorney for the Applicants  
 Testa, Hurwitz & Thibault, LLP  
 High Street Tower-125 High Street  
 Boston, MA 02110

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Biondi *et al.*  
SERIAL NO.: Not yet assigned GROUP NO.: Not yet assigned  
FILING DATE: Herewith EXAMINER: Not yet assigned  
TITLE: A System for Automatically Weaning a Patient from a Ventilator, and  
Method Thereof

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL OF FORMAL DRAWINGS**

Sir:

Enclosed please find 16 sheets of formal drawings corresponding to FIGS. 1-5, 6, 6a, and 7-17, for the above-referenced patent application..

Date: November 17, 2003  
Reg. No. 44,244

Tel. No.: (617) 248-7044  
Fax No.: (617) 248-7100

Respectfully submitted,



Ronda P. Moore  
Attorney for the Applicants  
Testa, Hurwitz, & Thibeault, LLP  
High Street Tower  
125 High Street  
Boston, Massachusetts 02110